

**ASSEMBLY BILL**

**No. 1595**

**Introduced by Assembly Member Evans**

February 22, 2005

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An act to amend Section 6254.21 of the Government Code, relating to public officials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1595, as introduced, Evans. Public official: personal information.

Existing law prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual. Existing law also prohibits a person from knowingly posting on the Internet the home address or telephone number of an elected or appointed official or of the official's residing spouse or child with intent to cause imminent great bodily harm to that individual.

This bill would prohibit a person, business, or association from selling or trading for value on the Internet the home address or telephone number of any elected or appointed official if that official has made a written demand of that person, business, or association to not disclose his or her home address or telephone number.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6254.21 of the Government Code is  
2 amended to read:

1 6254.21. (a) No state or local agency shall post the home  
2 address or telephone number of any elected or appointed official  
3 on the Internet without first obtaining the written permission of  
4 that individual.

5 (b) No person shall knowingly post the home address or  
6 telephone number of any elected or appointed official, or of the  
7 official's residing spouse or child on the Internet knowing that  
8 person is an elected or appointed official and intending to cause  
9 imminent great bodily harm that is likely to occur or threatening  
10 to cause imminent great bodily harm to that individual. A  
11 violation of this subdivision is a misdemeanor. A violation of this  
12 subdivision that leads to the bodily injury of the official, or his or  
13 her residing spouse or child, is a misdemeanor or a felony.

14 (c) *No person, business, or association shall sell or trade for*  
15 *value on the Internet the home address or telephone number of*  
16 *any elected or appointed official if that official has made a*  
17 *written demand of that person, business, or association to not*  
18 *disclose his or her home address or telephone number.*

19 (d) For purposes of this section "elected or appointed official"  
20 includes, but is not limited to, all of the following:

- 21 (1) State constitutional officers.
- 22 (2) Members of the Legislature.
- 23 (3) Judges and court commissioners.
- 24 (4) District attorneys.
- 25 (5) Public defenders.
- 26 (6) Members of a city council.
- 27 (7) Members of a board of supervisors.
- 28 (8) Appointees of the Governor.
- 29 (9) Appointees of the Legislature.
- 30 (10) Mayors.
- 31 (11) City attorneys.
- 32 (12) Police chiefs and sheriffs.
- 33 (13) A public safety official as defined in Section 6254.24.

34 ~~(d)~~  
35 (e) Nothing in this section is intended to preclude punishment  
36 instead under Sections 69, 76, or 422 of the Penal Code, or any  
37 other provision of law.